

GIBSON DUNN

Gibson, Dunn & Crutcher LLP

200 Park Avenue
New York, NY 10166-0193
Tel 212.351.4000
www.gibsondunn.com

Reed Brodsky
Direct: +1 212.351.5334
Fax: +1 212.351.6235
RBrodsky@gibsondunn.com

August 11, 2017

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Jacquelyn Kasulis, Esq.
Alixandra Smith, Esq.
G. Karthik Srinivasan, Esq.
David Kessler, Esq.
David Pitluck, Esq.
Assistant United States Attorneys
U.S. Attorney's Office for the Eastern District of New York
271 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Evan Greebel, S1 15 Cr. 637 (KAM)

Dear Counsel:

Pursuant to Paragraph 4 of the Court's July 14, 2017 Amended Criminal Pretrial Scheduling Order (Dkt. 266) (the "Amended Scheduling Order"), we are submitting our (a) amended proposed requests to charge using the Court's final jury instructions in *United States v. Martin Shkreli* as the starting point,¹ (b) expert witness list and related disclosures, and (c) witness list. We are filing our proposed requests to charge and our expert witness list on ECF, and we are providing you with our witness list and a copy of our potential trial exhibits under separate cover.

We reserve the right to amend the proposed requests to charge, the witness list, and our potential trial exhibits due to, among other things: we anticipate that we may obtain additional discovery through subpoenas; we may re-evaluate our exhibits and witnesses based on our review of the government's exhibit and witness lists and the government's ongoing production of Rule 16 materials; and we will re-evaluate our disclosures upon receipt and review of the government's production of material pursuant to Title 18, United States Code, Section 3500. Accordingly, we reserve all rights to supplement and amend our proposed verdict form, revised requests to charge, witness list, and potential trial exhibits.

¹ For the Court's convenience, we are providing a redline comparing our proposed requests to charge against the Court's final jury instructions in *United States v. Shkreli*. Along with our courtesy copies to the Court, we will include a disc containing a clean Word version of our proposed requests to charge.

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We further reserve the right to use any exhibits and call any witnesses identified by the government in its disclosures and/or during the trial of *United States v. Shkreli*.

Pursuant to the Court's Amended Scheduling Order, we welcome the opportunity to meet and confer with you to discuss our respective disclosures.

Sincerely,

/s/ Reed Brodsky

Reed Brodsky

cc: All counsel (*via ECF*)